

**RECEIVED
CENTRAL FAX CENTER**

DEC 30 2003

OFFICIAL

**LAW OFFICES OF
McGINN & GIBB, P.L.L.C.**

A PROFESSIONAL LIMITED LIABILITY COMPANY
PATENTS, TRADEMARKS, COPYRIGHTS, AND INTELLECTUAL PROPERTY LAW
8321 OLD COURTHOUSE ROAD, SUITE 200
VIENNA, VIRGINIA 22182-3817
TELEPHONE: (703) 761-4100
FACSIMILE/DATA: (703) 761-2375; 761-2376
E-MAIL: MCGINNGIBB@AOL.COM

SEAN M. MCGINN
PHILLIP E. MILLER*
FREDERICK E. COOPERRIDER*
PETER A. BALNAVE, PhD
FREDERIC J. ZIMMERMAN*
JAMES E. HOWARD*
JAMES N. DRESSER
JOHN J. DRESCH
*MEMBER OF BAR OTHER THAN VIRGINIA

ANNAPOLIS, MD OFFICE
FREDERICK W. GIBB, III
MOHAMMAD S. RAHMAN*

December 15, 2003

**VIA FACSIMILE
EXPEDITED PROCEDURE**

To: Examiner Steven P. Sax
Group Art Unit No. 2174
U. S. P. T. O.

Facsimile No. 703-872-9306

From: Phillip E. Miller

Facsimile No. 703-761-2375

Re: Enclosed Amendment and Excess Claim Fee Payment Letter
U. S. Patent Application Serial No. 09/257,208
Our Ref: ALM.008

Dear Examiner Sax:

Enclosed is an Amendment which is responsive to the September 29, 2003 Office Action, and which should place the above-referenced case in condition for allowance.

Thank you in advance for your kind consideration of this case.

Very truly yours,


Phillip E. Miller

PEM/tw
Enclosure

**RECEIVED
CENTRAL FAX CENTER**

DEC 30 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re Application of:**

Dryer et al.

Serial No.: 09/257,208**Group Art Unit:** 2174**Filed:** February 25, 1999**Examiner:** Sax, S.**For:** METHOD AND SYSTEM FOR REAL-TIME DETERMINATION OF A
SUBJECTS INTEREST LEVEL TO MEDIA CONTENTHonorable Assistant Commissioner of Patents
Washington, D.C. 20231**EXCESS CLAIM FEE PAYMENT LETTER**

Sir:

Transmitted herewith is an Amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.

| | <u>After Amendment</u> | <u>Prev. Paid for</u> | <u>Extra Claims Present</u> | <u>Rate</u> | <u>Fee Due</u> |
|--|------------------------|-----------------------|-----------------------------|-------------|-----------------|
| Total claims | 67 | 61 | 6 | 18.00 | \$108.00 |
| Indep. claims | 8 | 8 | 0 | 84.00 | \$0.00 |
| Total Additional Fee for this Amendment | | | | | \$108.00 |

The Commissioner is hereby authorized to charge the amount of \$108.00 to Assignee's Deposit Account No. 09-0441 to cover the cost of the Excess Claim Fee.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Assignee's Deposit Account No. 09-0441.

Respectfully Submitted,

Date:

12/29/03Phillip E. Miller
Reg. No. 46,060McGinn & Gibb, PLLC
8321 Old Courthouse Road, Suite 200
Vienna, VA 22182-3817
(703) 761-4100
Customer No. 21254

#22119
PAGE 02

**RECEIVED
CENTRAL FAX CENTER**

DEC 30 2003

OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Dryer et al. .

Serial No.: 09/257,208

Group Art Unit: 2174

Filed: February 25, 1999

Examiner: Sax, S.

For: METHOD AND SYSTEM FOR REAL-TIME DETERMINATION OF A
SUBJECTS INTEREST LEVEL TO MEDIA CONTENT

Honorable Assistant Commissioner of Patents
Washington, D.C. 20231

AMENDMENT

Sir:

In response to the Office Action dated September 29, 2003, please amend the above-identified application as follows: